

This letter is intended as a formal objection to the proposed settlement in re: Zappos.com, Inc. Customer Data Security Breach Litigation United States District Court, District of Nevada Case No. 3:12-cv-00325-RCJ-VPC, MDL No. 2357

Name: Allen Ernest Pendarvis Jr., 858 Rutledge Ave., Charleston, SC 29403

Statement: I am a settlement class member. See enclosed documentation (email notification).

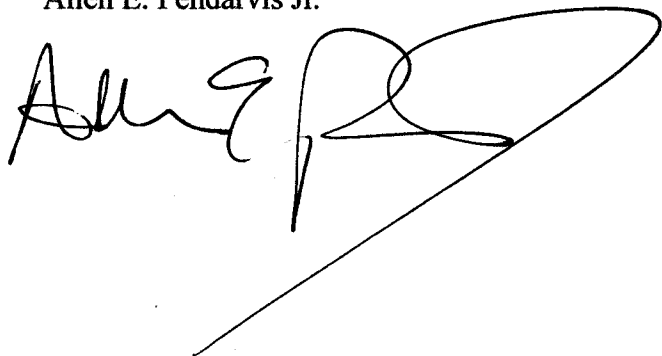
I do not intend to appear at the Final Approval Hearing.

Objection: The settlement in this case is, in my opinion, a ludicrously disrespectful undervaluation of consumers' privacy and financial security and an example of a failure of the class action lawsuit system. In short, as recompense for having had my personal and financial security compromised as a result of Zappos data breach, I am being offered the opportunity to continue to do business with them, albeit with a small discount? If anything, settlement class members should have learned that Zappos has insufficient data security and to not do business with them---this settlement is a benefit to the *company* in question, not to the affected individuals.

My second, and more jaw-dropping objection, is the request for \$1,597,500 in legal fees to the Class Counsel, while the actual Service Awards to the Class Representatives totals \$22,500. I am hard-pressed to believe that Class Counsel can account for usual and customary legal charges justifying that amount, especially in light of the negotiated settlement for the Class Members. In my opinion, this settlement should be rejected outright, given that it *appears* to be a settlement designed to benefit Zappos and the Class Counsel, in disregard for any meaningful compensation for the Class Members or even Class Representatives. A 'cash-grab' settlement on behalf of the Class Counsel is, in my opinion, a negotiation in bad faith, and should be summarily denied.

Thank you for your time and consideration,

Allen E. Pendarvis Jr.



<input checked="checked" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
OCT 25 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	KB DEPUTY



Allen Pendarvis &lt;pendarva@gmail.com&gt;

**Settlement notification re: 2012 security incident**

1 message

**Zappos Data Settlement Administrator** <info@e.zapposdatasettlement.com>  
 To: pendarva@gmail.com

Fri, Oct 18, 2019 at 7:44 PM

**Please take a moment to read this email.**

Hi Allen Pendarvis,

You are receiving this email because you were a Zappos customer in January 2012. As such, we are writing to inform you that a resolution has been reached in the class action lawsuit filed because of the data breach that occurred during that time.

Important additional information is below, but the short version is that you are getting a 10%-off discount code to use on an order placed before the end of year. You may also transfer the code to someone else

Here is your one-time-use code: LE7D-A8SLP6-XKVMA7. Once you've selected the items you want to purchase on Zappos.com or the Zappos App, select "Proceed to Checkout" and you'll have a chance to enter your code.

- For Desktop Users: Under "2. Payment Method," you'll see a dropdown for "Add gift card or rewards code." Simply enter the code there, click "Apply," and continue checking out.
- For App Users: Select "Gift Codes" in the top right corner, enter your code, select save, and continue checking out.

Thank you for your patience and understanding and, as always, we're here to help. If you need help with placing an order, please don't hesitate to reach out by contacting us at 2012action@zappos.com. If you need assistance regarding your legal rights related to this Notice, please see below and contact Zappos Settlement Administrator, P.O. Box 43434, Providence, RI 02940-3434, 1-855-263-1060.

Your Friends at Zappos

*In re: Zappos.com, Inc. Customer Data Security Breach Litigation*  
 United States District Court, District of Nevada,  
 Case No. 3:12-cv-00325-RCJ-VPC,  
 MDL No. 2357

**COURT ORDERED NOTICE OF CLASS ACTION SETTLEMENT**

You are a member of the Settlement Class in the above-captioned lawsuit, which relates to a data security hack against Zappos.com in January 2012. The case has settled, and you may use the unique code provided above for 10% off a single future online purchase of goods on Zappos.com (or via the Zappos.com mobile app), exclusive of shipping costs and taxes. You may also transfer or sell this code to someone else for personal, non-commercial use.

The Court has preliminarily approved this settlement. It will hold a Final Approval Hearing in this case on December 20, 2019 at 10:00 a.m. in Courtroom 3 of United States District Court for the District of Nevada, located at 400 S. Virginia Street, Reno, Nevada 89501. At the Final Approval Hearing, the Court will decide whether to approve the settlement and whether to grant Class Counsel's requests for \$1,597,500 in attorneys' fees, costs, and expenses, and for service awards of \$2,500 to each of the nine Representative Plaintiffs (i.e., a total of \$22,500 in requested service awards). You have the right to attend the Final Approval Hearing and to be represented by counsel of your choice (at your own expense). For more information, including information about how to object to the settlement or to the request for attorneys' fees, costs, expenses or to the request for service awards, please visit this website [www.zapposdatasettlement.com](http://www.zapposdatasettlement.com).

If you do not use or transfer your discount code, you have the right to request exclusion from the settlement ("opt out") or to object to the settlement, but the deadline for this is November 29, 2019. Please [click here](#) for additional details.

If you do not request exclusion from the settlement before the deadline and if the Court approves the settlement, you will release (give up) all claims against Zappos and related parties (including Amazon.com) that pertain in any way to the January 2012 data security hack.

If the court does not approve the settlement, the discount code may expire at the time of the Final Approval Hearing; otherwise the discount code is good until December 31, 2019.

Please review the complete, court-approved notice [here](#) for additional information, rules for use of the discount code and information about how to obtain a substitute code if you are unable to use it due to hospitalization or military service.

If you believe you have received this message in error, please use this [link](#) to unsubscribe.

Allen Pendarvis  
858 Rutledge Ave  
Charleston, SC 29403

CHARLESTON  
SC 294  
22 OCT '19  
PM 3 L

Reno Clerk's Office  
400 S. Virginia St.  
Reno, NV 89501



FOREVER

89501-213299

